

Fire Safety Code Board

Of Appeal & Review

Minutes of November 3, 2009 hearing

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, November 3, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Dias, Filippi, Jasparro, Preiss, Blackburn and Richard. Commissioners Walker, Pearson and Jackson were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #200209A: Mr. Peter Lombardi, for the property located at 477 Broadway, Providence. ADSFM Richard Silva appeared for the Providence, Fire Marshal's office. Commissioner Jasparro recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioners Filippi and Richard to reinstate the previously granted variances for this facility. The motion was unanimous.

APPEAL #070124: Vice President Valerie Murray, for the property located at 30 Exchange Terrace, Providence. ADSFM Timothy Lutz appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Jasparro and Dias, to grant the Applicant relief from the provisions of section

13.2.5.1.1 to allow the common path of travel distance to exceed twenty (20) feet. The motion was unanimous.

APPEAL #070372: The Blackstone Center, for the property located at 1 Commerce Street in Lincoln. Chief of Inspections Scott Caron and DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook and Commissioner Dias, to grant the Applicant a time variance of thirty days in which to present plans to the State Fire Marshal's office for the extension of the sprinkler system above the drop ceiling of this facility. The Applicant is granted an additional 120 days in which to install the sprinklers, and the State Fire Marshal's office is authorized to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #070014: Mr. Gordon Duquenoy, for the property located at 433 Benefit Street in Pawtucket. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Preiss made a motion, seconded by Commissioners Blackburn and Jasparro, to grant the following relief. The Applicant is granted relief based on structural hardship in order to maintain the stairs from the basement of the pub at the width of twenty-nine inches. The Applicant is granted a time variance of thirty (30) days from the date of the decision in which to present plans to the State Fire Marshal's office for the installation of a smoke barrier at the stairs between the basement and the tattoo parlor. The Applicant is granted an additional 120 days in which to

implement those plans. The State Fire Marshal's office is authorized to extend the above deadlines for good faith efforts on the part of the Applicant. The motion was unanimous.

APPEAL #090048A: Benchmark Assisted Living, for the property located at 700 Smith Street in Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to grant a variance to allow the loft area of this facility to be maintained with one means of egress, provided the occupancy of the conference room is limited to ten (10) people and that no residents may use the conference room. The motion was unanimous.

APPEAL #070030: Mr. Michael Maslen, for the property located at 141 Boyden Street in Woonsocket. ADSFM Frank Dunton appeared for the Woonsocket Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by commissioner Dias, to grant the Applicant a time variance until January 1, 2010 to bring this facility into compliance. The Woonsocket Fire Marshal's office is granted the authority to extend the above deadline for good faith efforts being made by the Applicant. The motion was unanimous.

APPEAL #070031: Mr. Michael Maslen, for the property located at 155 Boyden Street in Woonsocket. ADSFM Frank Dunton appeared for the Woonsocket Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Richard to grant the Applicant a

time variance of thirty days in which to present a plan of action to the Woonsocket Fire Marshal's office for the correction of any outstanding deficiencies in this facility. The Applicant is granted an additional 120 days in which to implement that plan. The Woonsocket Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #090313: Ms. Anne Kilkenny, for the property located at 148 Spring Street in Woonsocket. DSFM Wade Palazini appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Preiss, to grant the Applicant time to make the required corrections to this facility prior to the commencement of the 2010-2011 academic year. The motion passed over the objection of Commissioner Blackburn.

**Respectfully submitted,
Carol Marsella**